ROYALL AND GRACIOVS PRIVILEDGES, GRANTED

By the High and Mighty *Philip* the Fourth King of *Spaine*, &c.

March 19. 1645.

Vnto the Engliſh Merchants Trading within His Dominions.

Tranſlated out of Spaniſh, and Publiſhed for the Benefit of ſuch, who deſire Commerce in thoſe parts.

LONDON,
Printed for *Humphrey Moſeley*, at the Princes Armes in *Pauls* Church-yard, 1645.

To the Reader.

Hoſoever is vers'd in the knowledge of Merchandizing, ſpecially in the myſtery of Forraign Trade, muſt confeſſe what extraordinary advantages accrue to this Kingdome by Commerce with Spaine, *and the Dominions annexed to that Crowne, as well for the Exportation of our owne Manufactures and Commodities, as for the importation of theirs, eſpecially that of Treaſure, elſe how could our Mint find matter enough to worke upon? Nor is ours alone, but moſt of the Mints of* Europ *beholden to the Mines of* Mexico *and* Peru; *Nor Chriſtian Mints onely, but the* Turk *makes his aſpers, the* Ruſſe *makes his Rubbles of Spaniſh Rialls, Inſomuch that one may ſay, the Coyne of* Spaine *is more Catholique then her King. And as our trade and amitie with* Spain *is gainfull, ſo is it very ancient; For the Spaniards to this day reſpect the Engliſh, as much as any other for-*

raigne Nation, and there are many inducements thereunto. The Chronicle tell us how our Black Prince reſtor'd one of their Kings to his Crown; the Alliance 'twixt the Duke of Lancaſter *and* Portugall, *is yet freſh amongſt them; Some of our Kings ſent them Auxiliaries againſt the* Moores, *beſides divers other Alliances; And the ſtory tells us what excellent Queenes the* Infanta's *of* Spain *have prov'd with us. Adde hereunto our ancient and famous League with the Houſe of* Burgundy, *wherof this King is the chiefeſt branch; All theſe are obligations for* Spaine *to eſteem us, and us them interchangeably, which we did, till the difference of Religion happen'd, and our aſſiſting the* Hollanders, *with the Invaſion intended in the yeare* 1588. *And though we have been at diſtance with the* Spaniard *ever ſince, yet he ſeemes to retaine ſtill the Nationall eſteem he had alwayes of us; It being one of his maine maximes of policy;* Con todo el mundo guerra, y paz con Ingalatierra; *Warre with all the world, and peace with* England.

The Engliſh Merchants have obtain'd from time to time divers priviledges in the King of Spaines *Dominions which have been but looſely obſerv'd; This following Declaration or Royall grant, is not onely a confirmation, but an enlargement of thoſe Priviledges, for hereby they are exempted from all oaths and queſtions touching their Religion, which before they were ſubject unto in ſome caſes. Their Corne is not to be anticipated or taken away from them by any Officer for ſupply of the Kings Armies or Magazins, till they have made their market; They ſhall not bee moleſted, much leſſe impriſo-*

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ned for any putrified or ill conditioned fish, but it must be onely throwne oreboard. Their bookes of Accompts are not to be seiz'd upon, or medled with by any Officer; There shall be no rate as heretofore impos'd upon their fish, or any preemption forced upon them, but they shall bee left free to set their owne prices. And lastly, they are permitted to choose and nominate a Iudge to be their Conservator, who shall have power to determine all suites and differences 'twixt them and any other, so that they shall not need hereafter to be tossed from one Court to another, but make their addresse onely to their owne Iudge, whom they may change when they please, and ther's no appeale from him to any other Court, unlesse it bee to the High Counsell of State. Besides, they have priviledge now to search for any old Record that may concerne their immunities, which before they could not.

And if our Merchants trading into Spaine, and there resident, were so carefull as they ought to bee, they would make better use of that Kings indulgence towards them; for those of Sivill, had of late a Royall grant to purchase and inclose a piece of ground, for a Cymitrey or buriall place, but they slighting this favour of grace, immodestly expose their dead bodyes unto the scorne and outrage of the rude multitude, but I hope, and heartily wish, That the propensitie of that King to doe our Nation good, may incourage those whom it may concerne to be as provident to obtaine some immunities for the good of their soules and bodies, as for their estates.

To the Reader.

These Compliances of the Spaniard *with the* English *Nation, I thought expedient to publish unto the world, that wee by way of civill correspondence should respect the Merchants and Subjects of that Crowne accordingly.*

Your loving Friend,

I. B.

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The Copie of a Patent, containing ſeverall gracious Priviledges lately granted by the High and Mighty *Philip* the Fourth, King of *Spaine*, &c.

DOn *Philip* by the grace of God, King of *Caſtile*, *Leon*, *Aragon*, the two Sicilies, *Ieruſalem*, *Portugal*, *Navarre*, *Granado*, *Toledo*, *Valencia*, *Galiſia*, *Maliorca*, *Sivill*, *Sardenia*, *Cordova*, *Corſega*, *Murica*, *Iaen*, the *Algarues*, *Algeſira* *Gibraltar*, the Iſlands of the *Canaries*, the Eaſt and Weſt Indies, Iſlands and firme Land of the Ocean Sea, Arch-Duke of *Auſtria*, Duke of *Burgundy*, *Brabant* and *Milan*, Earle of *Haſpurg*, *Handers*, *Tirol* and *Barſelona*, Lord of *Biſcay* and *Molina*, &c,

Whereas on the behalfe of you *Richard Anthony*, Conſul of the Engliſh Nation, for your ſelfe, and in the name of the Subjects of the King

King of Great *Brittain*, it hath been ſhewed unto me, that by vertue of the peace, which is concluded in this and that Realme, you doe reſide and trade in *Andaluſia*, and ſpecially in the Cities of *Sivill*, St. *Lucar*. *Cadiz*, and *Malaga*, Deſiring me to be pleaſed to confirme unto you the Priviledges, exemptions and faculties, which do belong unto you, as well by the Articles of the ſaid Peace, as by the confirmations thereof, and other favours and graces, which my Lord and Father of Glorious memory, did grant unto you, and all ſuch others, which have been given you by the Crownes of my Realmes of *Caſtile* and *Portugal*, and to command, that they may be in, and for all things obſerved and accompliſhed unto you, without any limitation; And for fuller aſſurance to grant them anew unto you, with the qualities, amplitudes, conditions, and declarations, which ſhall be moſt convenient for you, and to ſet penalties upon ſuch as ſhall contradict, and not obſerve them unto you. And to the end it may be known, what they are, to grant them Copies thereof, or of that which my favour ſhall be; And I taking the

Premiſes

premiſes into conſideration, and becauſe for the occaſions which I have for my warres, you have offered to ſerve me, with two thouſand and five hundred Duccats of ſilver, to be paid one thouſand ready money, and the remaining one thouſand and five hundred in the month of *April*, of this yeare (whereof the Licenciate *Francis Moreno*, with in reverſion of *Don Anthony de Campo Redondo y Rio*, Knight of the order of *Santiago*, one of my Councell and Chamber, and of the Treaſury, in your name, and by vertue of your power did acknowledge a writing of obligation in forme before *Iohn Cortez de la Cruz*, my Notary) I do hold it for good; And by theſe preſents of my own motion and certain knowledge, and Royall and abſolute power, which I in this behalfe will make uſe of, and do uſe as an abſolute King and Lord, not acknowledging any ſuperiour in matters Temporall, doe confirme and approve the Priviledges, exemptions and faculties, which do belong unto you, as well by the Articles of the ſaid peace, as by the confirmation thereof, and alſo the other favours and graces, which my Lord and Father did grant unto you, and others whatſoever which have

been given, by my Crowns of *Caſtile* and *Portugall* unto the ſaid Subjects, in and for all things, as therein, and every thing and part therof is ſpecified, contained and declared, to the end they may be firme, ſtable, and of value, and be obſerved, kept, and accompliſhed unto you: For my deliberate intent and will is, that all thoſe of the ſaid Nation, ſhall enjoy thereof, without any limitation, in ſuch manner, that, during the time the ſaid Engliſhmen ſhall reſide in *Andaluſia*, neither you, nor they, may be charged with any Office nor publique charge, nor Counſell, Tutorſhip, Curatorſhip, Receivers, or Treaſurers, although they be of Cuſtomes and Millions, or other Services which concerne my Royall Treaſury; And much leſſe they may demand of you any Loans or Donations, or take from you any rights, or your rents, horſes, or ſlaves. And to doe you the more favour or grace, according to that which is agreed by the ſaid Peace, I do will and promiſe, that you ſhall and may deal and trade freely, and ſell your Merchandizes and Fruites, and buy thoſe of my Realms, and carry them forth, obſerving that which is ordained and commanded by the Lawes & Statutes, which

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make mention thereof, and paying to my Royall Treasurie the Duties or Customes which ought to be paid; Prohibiting, as I doe prohibit and command, not to take from you by force, any Merchandises, Wheat nor Barley, although it be for the making ready, or furnishing of my Armies, Fleets, or Gallions, nor for purveyors or Stewards, and the priviledges are to be concerning the Wheat and Barly, according to the Tax, and concerning the other things and Merchandises, as you shall conclude and agree, but they may not take them out of your possession, untill they shall have paid for them, unlesse for the same there be leave given, that they doe not molest or trouble you. And forasmuch as many of you doe treat to bring into the Ports of *Andalusia*, the City of *Sivill*, and other places, great quantity of *Newfoundland* fish, and other sorts of dry and salted fish, because they are victuals which are very necessary, and that you have been, and are put to great charges, and are much troubled; I doe will and command, to be kept, the Ordinance of the City of *Sivill*, whereby it is ordained, that those which come in with dry or salted Fish, there shall not be any price or rate set

upon them, but they ſhall be permitted to ſell at ſuch a price as they ſhall thinke good, and it ſhall not be neceſſary to manifeſt them any more, then unto my Officers which receive my Royall rents, and if the ſhips wherein the ſaid Fiſh is brought be great ſhips, that they cannot goe up the River, and that the ſame be put into Barks or Lighters, the Iudge of the Admiralty, nor any other perſon, may not put any Weighters or keepers into the Barkes or Lighters, at the charge of the owners of them.

And I doe alſo command, that if the ſaid Fiſh ſhall appeare to be rotten, and that it cannot be ſpent, that it be burnt, or thrown into the Sea, and that for this cauſe, there ſhall not be any cauſe or action commenced againſt the owners thereof, or perſons which ſhall ſell it, nor they ſhall not be impriſoned nor informed againſt. And foraſmuch as the Adminiſtrator of the Cuſtomes and others, of divers duties which are received for the Fruits and Merchandiſes, do uſe when any body doth inform, to have the perſon impriſoned, which ſheweth himſelfe to be party, whereby happeneth to the men of Trade, great diſcredit, charges, and vexations. My will is, and I doe command,

mand, that in the ſaid Informations there ſhall be only proceeded againſt the Merchandiſes, and not againſt the perſons, but they ſhall be permitted (as I doe permit them) to make, and they ſhall make their defences in the ſaid vexations. And foraſmuch alſo as according to an Article of the ſaid Peace, which maketh mention of matter in Religion, notwithſtanding that in ſome ſuites, they ſhould declare whether they be Roman Catholiques or not, excuſing themſelves to give faith to the oathes which they take, as parties or as witneſſes.

I doe alſo command, that concerning this matter, there be not done, nor there ſhall not be done any thing with thoſe which are borne in the ſaid Realme, but only, that the ſaid Condition be kept, and accompliſhed, and that no ſuch queſtions be put unto them, giving, unto the Oathes which they ſhal take in Iudgement Court, and without, the ſame faith and credit, which ſhould be given in caſe they were Spaniards, and herein you ſhall not receive any trouble or moleſtation, nor there ſhall not be any grievance done unto you; And whereas for the Iuſtification of ſome Cauſes, the Iudges and Iuſtices doe pretend, that the Merchants of

the ſaid Nation, ſhould exhibit the Bookes of their Contractations or dealings, and are for this matter troubled and moleſted, I doe will and Command, that the Bookes of the Merchants of the ſaid Nation, ſhall not be taken out of their hands for any cauſe whatſoever, but they ſhall keep and ſhew them in their houſes, to take out the parcell which ſhall bee appointed, and others ſhall not be demanded of them, nor there ſhall not be any other papers taken from them, upon penalty, that hee which ſhall doe here-againſt, ſhall be puniſhed according to law.

And foraſmuch as the Merchants do diſpatch the Merchandiſe from the Cuſtome-houſe of the ſaid City of *Sivill* of all duties; and becauſe they are many, do make up a ſheet, which is ſubſcribed and ſigned by all the officers, and remaineth in the hand of the *Alcayde* of the Cuſtome-houſe, for that by vertue thereof, the Merchandiſes are permitted to go forth, which are in Fardells, Packs, Trunks, and Caſes, and afterwards when they have taken them forth, and put them into their Houſes, and Ware-houſes, the chiefe keeper of the Cuſtomhouſe, and the Officers of the halfe *per cent*, doe viſit

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the houſes and the goods, troubling and moleſting them, demanding of them the diſpatches, it ſeeming unto them, that they may detaine them, becauſe they left the diſpatches in the hands of the ſaid *Alcayde* of the Cuſtome-houſe, I doe prohibit and command, that the houſes of the ſaid Merchants, ſhall not be viſited, nor the diſpatches ſhall not, nor may not be demanded of them, in regard they have them not in their hands, and this is to be underſtood, and is underſtood, of houſes which are within the walls of the ſaid City, And to the end it may be known to you, which are of the ſaid Engliſh Nation, there is to be delivered unto you Copies of the ſaid Priviledges and exemptions, which doe concerne you, and which were granted unto you, aſwell by the Articles of the peace, as in any other manner, And for execution and accompliſhment of all the Premiſes, I doe command thoſe of my Counſell, and thoſe of my Councells, Aſſemblies, and Tribunalls of my Court, and the Preſidents and Iudges of my Audiences, Alcaldes, and Officers of my Houſe, and Court, and Chanceries, and the Regent and Iudge of the Court of Degrees of the City of *Sivill*, and

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chiefe Alcaldes of the Precincts thereof, and all the Corrigedors, Assistants, and Governours, chiefe Iustices, and Ordinaries, aswell in the said Cities of *Sivil*, *Cadiz*, *Malaga*, and St. *Lucar de Barameda*, as of all other Cities, Townes, and places of these my Realmes and Dominions, and all other Iudges and Iustices whatsoever, of what quality or condition soever they may be, whom principally or incedentally may concerne in any manner the accomplishment or performance of that which is contained in this Patent, that presently so soone as they shall be, by vertue thereof, required, or the Copie thereof signed by a Notary publique, that there be thereunto given, as much faith as unto the originall, and that every one in the place, where it shall concerne him, doe observe and accomplish, and cause the same to be observed, accomplished and executed, in and for all things as therein is contained, and they shall not in all, or in part, put upon you any impediments, nor any other difficulties or doubt, nor doe any thing against the tenor and forme thereof, nor consent or give way, that it be interpreted, limited or suspended in all, or in part, or that to the contrary be given any *Sedulas* provisions

visions or other dispatches, but for observation thereof, in the place which shall concerne every one, they shall give order and ordaine, to deliver unto you those which shall be necessary; And for more firmnesse or validity of the favour or grace, which by this my Patent I doe grant you, and that at all times this favour may be certaine and sure unto you, you are to keep or have a Iudge *Conservator* in *Andalusia*, especially in the said Cities of *Sivill*, *Malaga*, *Cadiz*, and St. *Lucar de Barameda*, unto whom I am to give sufficient Commission, for the keeping and accomplishing of the said Priviledges, Liberties, and exemptions, who shall constrain and compel all & whatsoever, persons, of what sort or quality they may be, that shall concerne the said Nation, aswel those which shal be Defendants, accused, as those which shal be Plaintiffs, although the persons which shall accuse them, and which shall be accused by them, have private Iudges, aswell by consent as agreement, which they may have made by preheminence or priviledge, which they hold, to the end the said Iudge Conservator, may onely take knowledge privately of the said Causes, and not any other Iudge or tribunall, although it be

by way of Exceſs, or notorious Iuſtice, or in any other manner or forme. Which Iudge Conſervator is now Doctor *Don Franciſco de Vergara*, Iudge of my Court *de los Grados* of the City of *Sivill*, the time that he ſhall aſſiſt therein, and in his abſence the Licenciate *Don Franciſco de Medrano*, Iudge of the ſame Court, who for the ſuites which ſhall bee commenced in the ſaid Cities of *Cadiz*, *Malaga*, and St. *Lucar*, is to Subdelegate his Conſervatorſhip, in the perſon which by the ſaid Nation ſhall bee propounded or named, that he may affect the ſame, to the concluſion, and they ſhall be referred unto him, to be determined, and of that which he ſhall determine; the appeale is to be made to my Councell, and not to any other Court.

And foraſmuch as my will is, that every one in his time, ſhall have primative Commiſſion and Iurifdiction, to protect and defend you, concerning all the contents of this my Patent, that all the ſame may be kept and accompliſhed in the forme which I doe offer the ſame unto you, I have found good to charge, as by theſe preſents I doe charge them, with the protection, and defence hereof, and I doe command them, to ſee or peruſe this my Patent, and the

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qualities, conditions, preheminences, and amplifications therein contained, and to cauſe all the ſame to be kept, accompliſhed and executed, in ſuch forme and manner, and according as therein is contained and declared, without conſenting, or giving way, that in all or in part, there be made unto you any doubt or difficulty, and before the ſaid *Don Franciſco de Vergara*, or in his abſence before the ſaid *Don Francis de Medrano* (and not before any other Iudge) privatly in the Firſt inſtance, are to paſſe, and be followed all the cauſes and ſuites, which concerning the Premiſes, or any thing or part thereof ſhall be moved and cauſed, and the execution and puniſhment of thoſe which ſhall not be obedient; For my will is, that the knowledge and determination of all the contents in this my Patent, is in all things privatly to concerne, and ſhall concerne them; proceeding in all things againſt thoſe which ſhall be culpable, and executing for the ſame, the penalties which are mentioned by Law, reſerving as I doe reſerve, the appellations which ſhall be put in upon their Acts and Sentences, to my Councell, and not any other Court, without that any of my other Counſells, Tribunalls,

Courts, Chanceries, or any other Iudges or Iuſtices of my Realmes or Dominions, of whatſoever quality they be, may meddle, or ſhall meddle therewith, or in the uſe or exerciſe of the Iuriſdiction privative in the ſaid firſt inſtance, which by this my Patent I doe grant unto them, by way of exceſſe appellation or any other recourſe or manner, the which and every of them, I do inhibit and hold for inhibited the knowledge thereof, and do declare them for incompetent Iudges therof, for which and every thing, & part thereof, I do give them the moſt ſufficient power, and moſt ample Cõmiſſion, which according to Law is required & neceſſary, with the incidences & dependencies annexities, and after them the ſaid Engliſh nation of the ſaid city of *Sivill*, may name in the ſaid Commiſſion, one of the Iudges of the ſaid Audience, which the ſaid Nation ſhall chuſe; And I doe command the Preſident and thoſe of my Counſell of the Chamber, that preſenting before them their nomination (the caſe happening) to make void the ſaid Commiſſion, by promotion or vacation of the ſaid *Don Francis de Vergara*, and *Don Francis de Medrano*, or to diſpatch it, in any other manner, by ordi-

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nary to him that ſhall be therein nominated, in the forme according, and as by this my Patent is declared; And that it may be the better accompliſhed, I doe from this time give them power and authority, that they may ſubdeligate, and they ſhall ſubdeligate this Commiſſion for the buſineſſe and ſuites, which ſhall be offered in the ſaid Cities of *Cadiz Malaga*, and St. *Lucar de Barameda*, in the perſon which by you ſhall be propounded unto them, that they may ſubſtantiate them for a concluſion, and remit the Suites and Cauſes, unto them to be determined, in ſuch manner, as they ſhall find good and convenient, for the ſecurity of that which is contained in this my Patent; And I doe charge the moſt Excellent Prince, *Don Balthazar Charles*, my moſt deare, and moſt beloved Sonne, and doe command the Infants, Prelates, Dukes, Marqueſſes, Earles, Richmen, Commanders, and under-Commanders, Governours of Caſtles, ſtrong Houſes, and Plaines, and thoſe of my Counſell, Preſidents and Iudges of my Courts, *Alcaydes*, and Officers of my Houſe, Court and Chanceries, and all the Corigidors, Aſſiſtants, Governours, Alcaldes, Mayors, and Ordinaries, and whatſo-

ever Iudges and Iuſtices of theſe my Realmes and Dominions, to obſerve and accompliſh, and cauſe to be obſerved and accompiſhed, this my Patent, and the favour or grace which thereby I doe grant you, and againſt the tenor and forme thereof, not to doe or paſſe, now, nor at any time, in any manner perpetually for ever more. Nor to conſent or give way to be limited or ſuſpended unto you, all, or part thereof, notwithſtanding whatſoever Lawes or Statutes of theſe my Realmes and Dominions, Ordinances, Stile, Vſe or Cuſtome of the ſaid Cities of *Sivill*, *Cadiz*, *Malaga*, or St. *Lucar*, or any other thing, which is, or may be to the contrary, the which for this time (for ſo much as concerneth this matter, holding the ſame here for incerted and incorporated, as it were word for word written) I doe diſpence, abrogate, derogate, cancell, annihilate, and make void, and of none effect, remaining in full force and effect, for all other things hence-forward. And for this my Patent, *Ieronimo de Canencia*, Auditor of Accompts, in my chiefe Office of Accompts, and my Secretary of the *Media enate* ſhall take a Copie, at whoſe charge is the accompt and reaſon

reaſon of this right. And I doe declare, that for this favour you have paid the duty of the *Media enata*, which amounteth to thirty & five thouſand one hundred fifty and five *Maravediz* in ſilver, which ſum you are to pay, from fifteene to fifteen yeares perpetually, and in caſe they doe accompliſh or end, you may not make uſe of this favour untill ſuch time as it ſhall firſt appeare, that you have ſatisfied this duty, and you are alſo to pay the Judge Conſervator, which ſhall be named his ſalary, or to helpe to beare his charges, which he ſhall injoy for his labour or paines in the ſaid buſineſſe, before you ſhall injoy thereof, which is to appeare by Certificate of the office of this duty. Given in *Saragoſa* the Nineteenth day of *March*, *Anno* 1645.

I the King, I *Anthony Carnero*, Secretary of the King our Lord, did cauſe it to be written, by his Commandement Regiſtred. *Michael de Lariaga*, Lievtenant of the Lord High Chancellor, *Michael de Lariaga*; The Copie was taken *Ieronimo de Canencia*, *Don Iohn Chumazero y Carillo*; The Doctor *Don Anthony de Campo Redondo y Rio*, the Licenciate.

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Ioseph Gonsales.

THis Copie doth agree with that out of which it was taken, which for this effect was exhibited unto me by William Bland, dwelling in the City of Sivill, who tooke it away againe with him the 11 of April, Anno 1645.

Ioseph de Pineda, Notary Publick of the City of *Sivil*, for the King.

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